

JS 44C/SDNY
REV.
10/01/2020

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS
Francis Austin

DEFENDANTS
Fordham University

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
Mark Peters & Lesley Brovner, Peters Brovner LLP
139 Fulton Street -- Suite 132
New York, NY 10038

ATTORNEYS (IF KNOWN)

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Diversity: 28 U.S.C. §1332

Judge Previously Assigned

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No ☒ Yes ☐

If yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date _____ & Case No. _____

Is THIS AN INTERNATIONAL ARBITRATION CASE?

No ☒ Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

TORTS		ACTIONS UNDER STATUTES			
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
[] 110 INSURANCE	[] 310 AIRPLANE	[] 367 HEALTHCARE/	[] 625 DRUG RELATED	[] 422 APPEAL	[] 375 FALSE CLAIMS
[] 120 MARINE	[] 315 AIRPLANE PRODUCT	PHARMACEUTICAL PERSONAL	SEIZURE OF PROPERTY	28 USC 158	[] 376 QUI TAM
[] 130 MILLER ACT	LIABILITY	[] 365 PERSONAL INJURY	21 USC 881	[] 423 WITHDRAWAL	[] 400 STATE
[] 140 NEGOTIABLE	[] 320 ASSAULT, LIBEL &	PRODUCT LIABILITY	[] 690 OTHER	28 USC 157	REAPPORTIONMENT
INSTRUMENT	SLANDER	[] 368 ASBESTOS PERSONAL			[] 410 ANTITRUST
[] 150 RECOVERY OF	[] 330 FEDERAL	INJURY PRODUCT			[] 430 BANKS & BANKING
OVERPAYMENT &	EMPLOYERS'	LIABILITY			[] 450 COMMERCE
ENFORCEMENT	LIABILITY		PROPERTY RIGHTS		[] 460 DEPORTATION
OF JUDGMENT	[] 340 MARINE	PERSONAL PROPERTY	[] 820 COPYRIGHTS	[] 880 DEFEND TRADE SECRETS ACT	[] 470 RACKETEER INFLU-
[] 151 MEDICARE ACT	[] 345 MARINE PRODUCT	[] 370 OTHER FRAUD	[] 830 PATENT		ENCED & CORRUPT
[] 152 RECOVERY OF	LIABILITY	[] 371 TRUTH IN LENDING	[] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION		ORGANIZATION ACT
DEFAULTED	[] 350 MOTOR VEHICLE		[] 840 TRADEMARK		(RICO)
STUDENT LOANS	[] 355 MOTOR VEHICLE				[] 480 CONSUMER CREDIT
(EXCL VETERANS)	PRODUCT LIABILITY			SOCIAL SECURITY	[] 485 TELEPHONE CONSUMER
[] 153 RECOVERY OF	[X] 360 OTHER PERSONAL	[] 380 OTHER PERSONAL	LABOR	[] 861 HIA (1395ff)	PROTECTION ACT
OVERPAYMENT	INJURY	PROPERTY DAMAGE	[] 710 FAIR LABOR	[] 862 BLACK LUNG (923)	
OF VETERAN'S	[] 362 PERSONAL INJURY -	[] 385 PROPERTY DAMAGE	STANDARDS ACT	[] 863 DIWC/DIWW (405(g))	[] 490 CABLE/SATELLITE TV
BENEFITS	MED MALPRACTICE	PRODUCT LIABILITY	[] 720 LABOR/MGMT	[] 864 SSID TITLE XVI	[] 850 SECURITIES/
[] 160 STOCKHOLDERS			RELATIONS	[] 865 RSI (405(g))	COMMODITIES/
SUITS		PRISONER PETITIONS	[] 740 RAILWAY LABOR ACT		EXCHANGE
[] 190 OTHER		[] 463 ALIEN DETAINEE	[] 751 FAMILY MEDICAL	FEDERAL TAX SUITS	[] 890 OTHER STATUTORY
CONTRACT	ACTIONS UNDER STATUTES	[] 510 MOTIONS TO	LEAVE ACT (FMLA)	[] 870 TAXES (U.S. Plaintiff or	ACTIONS
[] 195 CONTRACT	CIVIL RIGHTS	VACATE SENTENCE		Defendant)	[] 891 AGRICULTURAL ACTS
PRODUCT	[] 440 OTHER CIVIL RIGHTS	28 USC 2255	[] 790 OTHER LABOR	[] 871 IRS-THIRD PARTY	[] 893 ENVIRONMENTAL
LIABILITY	(Non-Prisoner)	[] 530 HABEAS CORPUS	LITIGATION	26 USC 7609	MATTERS
[] 196 FRANCHISE		[] 535 DEATH PENALTY	[] 791 EMPL RET INC		[] 895 FREEDOM OF
		[] 540 MANDAMUS & OTHER	SECURITY ACT (ERISA)		INFORMATION ACT
REAL PROPERTY	[] 441 VOTING	PRISONER CIVIL RIGHTS	IMMIGRATION		[] 896 ARBITRATION
[] 210 LAND	[] 442 EMPLOYMENT	[] 550 CIVIL RIGHTS	[] 462 NATURALIZATION		[] 899 ADMINISTRATIVE
CONDEMNATION	[] 443 HOUSING/	[] 555 PRISON CONDITION	APPLICATION		PROCEDURE ACT/REVIEW OR
[] 220 FORECLOSURE	ACCOMMODATIONS	[] 560 CIVIL DETAINEE	[] 465 OTHER IMMIGRATION		APPEAL OF AGENCY DECISION
[] 230 RENT LEASE &	[] 445 AMERICANS WITH	CONDITIONS OF CONFINEMENT	ACTIONS		[] 950 CONSTITUTIONALITY OF
EJECTMENT	DISABILITIES -				STATE STATUTES
[] 240 TORTS TO LAND	EMPLOYMENT				
TORT PRODUCT	[] 446 AMERICANS WITH				
LIABILITY	DISABILITIES -OTHER				
[] 245 ALL OTHER	[] 448 EDUCATION				
[] 290 REAL PROPERTY					

Check if demanded in complaint:

☐ CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?
IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint
JURY DEMAND: ☒ YES ☐ NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN x IN ONE BOX ONLY)

ORIGIN

- ☒ 1 Original Proceeding
 ☐ 2 Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from (Specify District)
 ☐ 6 Multidistrict Litigation (Transferred)
 ☐ 7 Appeal to District Judge from Magistrate Judge
- ☐ a. all parties represented
 ☐ b. At least one party is pro se.
- ☐ 8 Multidistrict Litigation (Direct File)

(PLACE AN x IN ONE BOX ONLY)

BASIS OF JURISDICTION

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

- ☐ 1 U.S. PLAINTIFF
 ☐ 2 U.S. DEFENDANT
 ☐ 3 FEDERAL QUESTION
 ☒ 4 DIVERSITY
- (U.S. NOT A PARTY)

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF DEF [] 1 [] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [] 3 [] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF DEF [] 5 [] 5
CITIZEN OF ANOTHER STATE	<input checked="" type="checkbox"/> 2 [] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] 4 <input checked="" type="checkbox"/> 4	FOREIGN NATION	[] 6 [] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

3419 Hawthorne Ave
Omaha, NE 68131
Douglas County

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Fordham University
441 East Fordham Road
Cunniffe House – Room 111
Bronx, New York 10458

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN

DATE June 5, 2023

SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO

☒ YES (DATE ADMITTED Mo. _____ Yr. 1991 _____)
Attorney Bar Code #

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)

Clear Form

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